



Accidents

**CAR WASH:** Duxbury firefighters look on as an SUV is towed from the water off Bay Road. Police say the driver was sending a text message when he ran off the road and got his car stuck in an inlet. The driver was charged with negligent operation of a motor vehicle.

Photo by Justin Graeber

## Texting risk driven home

Police say driver sending message when car veered into bay

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A SUV careened into the water off Bay Road Friday afternoon, and police have sent the driver a citation for negligent operation, saying he was sending a text mes-

sage when the car went off the road.

The issue of texting while driving has been a hot topic in Massachusetts recently. Duxbury's legislative delegation is unanimously supportive of laws working their

way through the Statehouse that would ban texting while driving, although they differ on some of the details.

Police say the driver of the tan SUV was driving on

continued on page 6

# Police say driver of car pulled from bay sending text message

continued from page one

Bay Road, in the direction of Hall's Corner, when he lost control of the car and drove into the water. The man, Russell Sharp, 33, of Braintree, told police upon their arrival that he had been sending a text message. The man did not speak to reporters at the scene but told police he was not injured.

"He looked up and the next thing he knew, he was in the water," Lt. Roger Banfill said at the scene.

Lt. Lewis Chubb of the Duxbury Police said Monday that Sharp had been issued a citation for negligent operation of a motor vehicle, impeded operation of a motor vehicle and marked lanes violation. He confirmed from the police report that Sharp said he had been sending a text message while driving.



On Friday, police and fire officials responded to a call of a car in the water, with a man standing on the roof, according to Deputy Fire Chief Christopher West. When emergency crews arrived, the man had safely swum to shore, but his car was still stuck in the mud of the inlet about 15-20 feet from shore.

just passed an amendment to the budget that would ban texting while driving, and would also prohibit public transit operators from holding a cell phone while driving. The budget is currently in conference. There are also pending bills in the house that would prohibit texting, would ban junior operators from using a cell phone while driving, and another that would require all drivers to use a hands-free unit.

State Rep. Tom Calter said he supported the idea of banning texting while driving — calling it a “serious public safety issue” — but voted against a similar bill when it came up in the House last year because it would have made texting a surchargeable offense. He said he thought

onto a proposed \$100 fine was “punitive.”

“I do support banning texting and punishing people that are caught texting, but I don’t think it should be a surchargeable offense,” Calter said. “But studies and personal experience have indicated that kids aren’t as worried about surcharges as their parents.”

Rep. Daniel Webster said while he agreed people shouldn’t text and drive, he would rather see police enforce driving statutes already on the books.

“I think it’s incumbent upon police officers to realize this type of behavior endangers members of the public,” he said.

He pointed out that laws

would be tough to enforce, as it would be difficult for a police officer to prove someone was texting while driving unless they observed it first-hand.

The existing charge of operating negligently, which was used by Duxbury Police after Friday’s incident, can carry a fine from \$20 to \$200 or jail time, from two weeks to two years, Webster said, depending on the circumstance of the incident.

On Friday, police and fire officials responded to a call of a car in the water, with a man standing on the roof, according to Deputy Fire Chief Christopher West. When emergency crews arrived, Sharp had safely swum to shore, but his car was still stuck in the mud of the inlet about 15-20 feet from shore.

West said once they learned the driver was safe, the main concern of fire-rescue crews was the environmental impact of any spilled gasoline. He said there was a “minute” amount of gas spilled when the car was being removed from the water, but that it was contained by booms placed by firefighters in survival suits, floating around the crash site.

“All in all we were pretty fortunate the operator was able to free himself,” West said.

A fire department diver was able to hook a cable around the front wheels of the submerged vehicle, and a tow company pulled the SUV out of the water.

Sharp’s Braintree phone number is unlisted, and other attempts to reach him for comment on Tuesday were unsuccessful. Sharp has not yet been arraigned in court, according to a clerk at Plymouth District Court on Tuesday morning.



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